IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION No. 17472 of 2004

Between:

R.B.V.R.R.Women's College, Narayanguda, Hyderabad rep., by its Secretary and Correspondent, Prof.P.Narsimha Reddy.

..... PETITIONER

AND

1 The Election Commission of India, rep., by its Chief Election

Commissioner, New Delhi.
2 The State Election Commissioner of Hyderabad, Andhra Pradesh.
3 The District Election Officer and Commissioner, M.C.H., Hyderabad.
4 The Returning Officer, 213, Asif Nagar Assembly Constituency, Hyderabad.
5 The Assistant Returning Officer, 213, Asif Nagar Assembly

Constituency, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order, direction or writ more particularly one in the nature of writ of mandamus, declaring the action of the respondents in not considering the letter dated 23-9-2004, addressed by the petitioner herein requesting to exempt the college building from being utilized for the bye election being conducted to the Asif Nagar Assembly Constituency and to make use of the alternative accommodation within the vicinity having more suitability for bye election work as demanded by the 4th respondent in letter bearing Lr.No.768/BYE-Elections/213-AAC/MCH/2004, dated 21-09-2004 as illegal, arbitrary, unreasonable, unjust and opposed to the

principles of natural justice and violative of fundamental rights guaranteed under the Constitution of India and consequently direct the respondents to accept the proposal put forth by the petitioner college.

Counsel for the Petitioner : Mr.P.PURUSHOTHAM REDDY

Counsel for Respondents : SMT.C.JAYASREE SARATHY

The Court made the following :

ORDER:

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Heard the learned counsel for petitioner and the learned counsel for respondents.

The learned counsel for respondents filed a memo along with the letter dated 5.10.2004 addressed by the fourth respondent to the Chief Electoral Officer & Special Chief Secretary to Government, GAD (Elections), Hyderabad (second respondent) into the Court stating that in view of the said letter dated 5.10.2004 the premises belongs to the petitioner college as requisitioned earlier for the election purpose as per letter dated 21.9.2004, is now not required for the said purpose and the same is placed on record.

Recording the said letter dated 5.10.2004, since no further orders are required to be passed in the writ petition, the writ petition is accordingly closed.

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A.GOPAL REDDY, J

Date: 6.10.2004

To

1 The Chief Election Commissioner, Election Commission of India,

New Delhi.

2 The State Election Commissioner of Hyderabad, Andhra Pradesh.

3 The District Election Officer and Commissioner, M.C.H., Hyderabad.

4 The Returning Officer, 213, Asif Nagar Assembly Constituency, Hyderabad.

5 The Assistant Returning Officer, 213, Asif Nagar Assembly Constituency, Hyderabad.

6 Two CD copies.